



**MINUTES  
BOARD OF NURSING  
FULL BOARD MEETING  
WEDNESDAY APRIL 26, 2006**

**MEMBERS PRESENT:** SHARON PAPPAS, RN, PRESIDENT; JUDITH A. BURKE, RN, VICE-PRESIDENT;  
JANET FERGUSON, RN; JOHN KLEINHEKSEL, JD; SANDRA SUMMERS, RN; TONI  
GIBBONS, LPN; CANDACE BERARDINELLI, PhD, RN; VICTORIA BROERMAN, RN;  
THOMAS KANAN, JD; JANET PUGLISI, RN

**PRESIDING:** SHARON PAPPAS, RN, PRESIDENT

**COUNSEL:** SUE KIM, ASSISTANT ATTORNEY GENERAL

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**1. Call to Order and President's Welcome 9:00 A.M.**

The members introduced themselves to the audience.

**2. Remarks**

Tambor Williams, Director, Division of Regulatory Agencies, made remarks concerning the Board's operations and filling Board vacancy.

**3. Introductions and Board of Nursing Issues -- Update**

Rose McCool, Director, Division of Registrations, addressed the Board and introduced Roberta Hills, RN, PhD, new Education Specialist for the Board of Nursing staff.

**4. Criminal Background Checks**

Rose McCool, Director, Division of Registrations, and Kevin Heupel, Program Director, gave a presentation and report on criminal background checks. After discussion, a Motion was made, seconded, and carried to continue the Board's current practices.

**5. Legislative Update**

Rose McCool, Director, Division of Registrations, gave a presentation on legislation from the current session and reported on past legislation implementation.

**6. Announcements**

Sharon Pappas, President, announced Open Forum sign-up sheets and the Chapter XIX Rulemaking hearing to take place on June 28, 2006.

**7. Update on "Yes" Applications and "Yes" Renewals**

The Board noted a memo from Linda Volz, Interim Program Director.

**8. Approval of Minutes (9:40 A.M.)**

A Motion was made, seconded, and carried, to approve the January 25, 2006 Full Board meeting minutes.

A Motion was made, seconded, and carried, to approve the February 22, 2006 Full Board meeting minutes.

A Motion was made, seconded, and carried, to approve the March 21, 2006 Education Subcommittee meeting minutes.

#### **9. Pre-licensure Clinical Experience --- NCSBN Position Paper**

The Board noted information concerning the Position Paper of the National Council of State Boards of Nursing (NCSBN).

#### **10. Clarification of Nursing Education Subcommittee**

Cheryl Hara, Program Administrator, addressed the Board concerning the role and authority of the Education Subcommittee. The Board gave guidance to staff concerning the nursing education program approval process.

After discussion, a Motion was made, seconded and carried authorizing the newly hired education specialist to approve nursing education programs with no irregularities, to refer concerns to the Education Subcommittee, and to present approvals to the Board for ratification.

#### **11. Rulemaking (10:05 A.M.)**

At 10:05 A.M., the Board convened a public rulemaking hearing to consider, pursuant to notice, proposed amendments to Chapter I, Chapter II, and Chapter IX and to adopt emergency Chapter XIX Rules.

#### **12. Chapter XIX (Emergency Temporary Rules and Regulations for Medication Aid Authority) (10:09 A.M.)**

Cheryl Hara, Program Administrator, presented a summary of rulemaking testimony from the January 25, 2006 Full Board meeting and reasons for the Board's review of this Rule.

After discussion, a Motion was made, seconded and carried to find that immediate adoption of Chapter XIX Rules was imperatively necessary to comply with state law, and for the preservation of public health, safety, and welfare, and that compliance with permanent rulemaking requirements at the time under section 24-4-103 would be contrary to the public interest.

After discussion, a Motion was made, seconded and carried to adopt Chapter XIX Rules as emergency rules with the stated basis, statutory authority, and purpose, and that it is the opinion of the Board that the rules are fair, impartial, and non-discriminatory.

#### **13. Chapter I (Licensing) (10:19 A.M.)**

After a full opportunity for submission of oral or written comments by the public and after due consideration, a Motion was made, seconded and carried to adopt revised Chapter I Rules, with amendments, including the statement of basis, statutory authority, and purpose. The rule as adopted is attached and incorporated herein by this reference.

#### **14. Chapter II (Rules and Regulations for Approval of Nursing Education Programs) (11:15 A.M.)**

After a full opportunity for submission of oral or written comments by the public, the Board closed the public comment portion of the rulemaking hearing. After discussion, a Motion was made, seconded and carried to continue the Board's deliberations, to charge the Education Subcommittee with further review, and to continue deliberations at the June 28, 2006 Full Board Bridge Meeting.

**15. Chapter IX (Rules and Regulations for the Expanded Role of the Licensed Practical Nurse in Relation to IV Therapy and Venous Blood Sampling) (1:17 P.M.)**

After a full opportunity for submission of oral or written comments by the public and after due consideration, a Motion was made, seconded and carried to adopt revised Chapter IX Rules, with amendments, including the statement of basis, statutory authority, and purpose. The rule as adopted is attached and incorporated herein by this reference.

**16. Nursing Education Subcommittee Report on Trinidad State Junior College**

Representatives of Trinidad State Junior College addressed the Board concerning the approval status of its nursing education program.

After discussion, a Motion was made, seconded and carried to extend conditional approval of Trinidad State Junior College for one year.

**17. Report on Ideal College**

Y. E. Scott, Assistant Attorney General, presented a summary of litigation pertaining to the withdrawal of approval for the practical nursing education program at Ideal College.

At 1:56 P.M., a Motion was made, seconded and unanimously carried to enter into Executive Session pursuant to C.R.S. 24-6-402(3)(a)(II), (III), and 24-72-101, et seq., based upon the Board's attorney-client privilege and matters required to be kept confidential by law. After discussion, at 2:43 P.M., a Motion was made, seconded and unanimously carried to leave Executive Session and return to Open Session to take action on the matter.

After discussion, a Motion was made, seconded and carried to proceed with litigation and authorize mediation between the Board of Nursing and Ideal College, to authorize two Board members to attend and have decision-making authority at mediation, and to establish settlement parameters.

**18. Quarterly Case Status Report to the Board**

The Board noted a memo submitted by Y. E. Scott, Assistant Attorney General.

**19. Open Forum**

Miriam Robinson, Education Resource Center, addressed the Board relating to the resource rule for Chapter XIX.

Paula Stearns, President of the Colorado Nurses Association, addressed the Board.

Darcey Brannigan, Dan Castillo, Joy Shaw, Denver Workplace Language Programs, addressed the Board.

Dr. Cathy Thompson, CU School of Nursing, addressed the Board concerning the APRN Vision Paper.

Pam Fuller, University of Phoenix, addressed the Board.

Catherine Witt, P/SL MC, addressed the Board and offered an opinion on the APRN Vision Paper.

**20. APRN Vision Paper**

Linda Metzner, Nurse Practice Consultant, gave a presentation on the National Council of State Boards of Nursing (NCSBN) Vision Paper: The Future Regulation of Advanced Practice Nursing and public comments received by the Board of Nursing.

The Board authorized the creation of a task force to craft a response, on behalf of the Board and subject to the Board's approval, to the Vision Paper: The Future Regulation of Advanced Practice Nursing. Judith Burke, Vice President and the APN member of the Board, and Linda Metzner, Nurse Practice Consultant, were appointed to convene the task force.

#### **21. Board Guidelines and Proposed Policies**

Marlene Patacky, Nurse Practice Consultant, gave a presentation concerning proposed Policy Number 10-16 Deployed Military and LPN IV-Authority.

After discussion, a Motion was made, seconded and carried to adopt Policy 10-16.

#### **22. CNHP- Request for Release of Funds**

Marjorie Derozier, Executive Director CNHP, addressed the Board concerning CNHP's 2005 and 2006 budgets.

After discussion, a Motion was made, seconded and carried to approve the upcoming fiscal year budget for CNHP. Jack Kleinheksel abstained.

After discussion, a Motion was made, seconded and carried to release the funds for the 2006-2007 fiscal year to CNHP. Jack Kleinheksel abstained.

#### **23. Board Guidelines and Proposed Policies Continued**

Cheryl Hara, Program Administrator, addressed the Board concerning Guideline Number 01 on "Yes" License Applications, OLS guidelines regarding "Yes" License Applications and Guideline Matrix regarding "Yes" Renewals.

After discussion, the Board noted and approved changes to the Guidelines.

#### **24. Clarification on Previous Board Ruling noting the University of Phoenix site report and approving the University of Phoenix response to the report**

Monica Brion, General Professional Temporary, addressed the Board.

After discussion, a Motion was made, seconded and carried to grant full approval to the University of Phoenix nursing education program.

#### **25. Board Guidelines, Continued**

Cheryl Hara, Program Administrator, addressed the Board concerning initial and renewal applicants with disabilities. The Board directed staff to conduct research on national guidelines and to submit a follow-up report for its review.

Sandy Summers left the meeting room.

#### **26. Nursing Education Programs Letters of Intent**

Accent Learning Systems, Inc., LPN

Colorado Christian University, LPN-ADN-BSN

Everest College (Formerly Parks College), ADN

Ideal College, RN-ADN

Indiana State University, LPN-BSN

Stillwater Executive Institute, LPN

The Board gave guidance regarding further assessment of educational matters on this agenda and regarding proceeding with routine educational items.

After discussion, on April 26, 2006 at 4:39 P.M., a Motion was made, seconded and unanimously carried to enter into Executive Session pursuant to C.R.S. 24-6-402(3)(a)(II) and (III), based upon the Board's attorney-client privilege and in order to discuss nursing education program approval. After discussion, at 4:48 P.M., a Motion was made, seconded and unanimously carried to leave Executive Session and return to Open Session.

After discussion, a Motion was made, seconded and carried to determine funding availability for an education consultant to evaluate the letters of intent and to place information regarding the letters of intent on the June 28, 2006 Bridge Meeting.

#### **27. Site Visit Reports**

Denver School of Nursing. The site visit report without response was noted. Further review to occur.

#### **28. Other Nursing Education Programs**

Board noted no new LPN IV education programs or CNA programs.

#### **29. Board Self Assessment Survey**

Board agreed to provide feedback at a later date via e-mail.

There being no further business, a Motion was made, seconded and carried to adjourn at 4:43 P.M. on Wednesday, April 26, 2006.

I attest that these Minutes substantially reflect the subject of the discussions during the Executive Session. Pursuant to § 24-6-402(2)(d.5)(I)(B), C.R.S., as President and chairperson of the Board of Nursing, I attest that any portions of the Executive Session of the Board of Nursing meeting held on April 26, 2006, that were not recorded in these Minutes were confined to the topics authorized for discussion pursuant to § 24-6-402(3).

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Sharon Pappas, RN, President  
Colorado Board of Nursing

Pursuant to C.R.S. § 24-6-402(d.5)(I)(B), as counsel for the Board, I attest that it is my opinion that the matters discussed in Board of Nursing meeting held on April 26, 2006, that were not recorded in these Minutes constituted attorney-client communications and, therefore, are not reflected within these minutes.

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Sue Kim, Assistant Attorney General